

NOTICE OF EMERGENCY RULE PROMULGATION

AGENCY: Department of Marine Resources

STATUTORY AUTHORITY: 12 M.R.S.A. Sections 6172 and 6192

RULE REPEAL AND PROMULGATION: DMR Regulation 95.04 E, Closed Area No. 39-E, Salt Pond, Sedgwick, Brooklin, and Blue Hill, promulgated on October 12, 2001, is repealed and replaced with the following rule:

TEXT OF RULE: DMR Regulation 95.04 E, Closed Area No. 39-E, Salt Pond, Sedgwick, Brooklin, and Blue Hill

Effective immediately, because of pollution, it shall be unlawful to dig, take or possess any clams, quahogs, oysters or mussels taken from the shores, flats and waters of the Salt Pond inside (south and west) of a line starting at a red painted post located on the northeast shore of Carleton Stream, Blue Hill, approximately 575 yards from the mouth, then running southwest to the west tip of Carleton Island continuing southwest to the west tip of Meeting House Point, Blue Hill. This closure includes the shores and flats south of Meeting House Point to the mouth of Meadow Brook. This area is classified restricted and requires a special MDMR permit.

Violation of any provision of this regulation shall be a Class D Crime (12 M.R.S.A. Section 6204).

EFFECTIVE DATE: January 8, 2004

AGENCY CONTACT PERSON: Amy M. Fitzpatrick
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BANGOR DAILY NEWS
January 12, 2004

STATEMENT OF FACT AND POLICY

As authorized by 12 M.R.S.A. Sections 6172 and 6192, the Commissioner of the Maine Department of Marine Resources repeals emergency DMR Regulation 95.04 E, Closed Area No. 39-E, Salt Pond, Sedgwick, Brooklin, and Blue Hill, promulgated on October 12, 2001, and enacts a new regulation. This new regulation reclassifies the southwest portion of the Salt Pond from the mouth of Carleton Stream to the mouth of Meadow Brook, as restricted and requires a special MDMR permit.

The reclassified area of the Salt Pond is subject to intermittent microbiological pollution and the unrestricted harvesting of clams, quahogs, oysters, and mussels, in these waters poses a threat to public health.



GEORGE D. LAPOINTE, COMMISSIONER



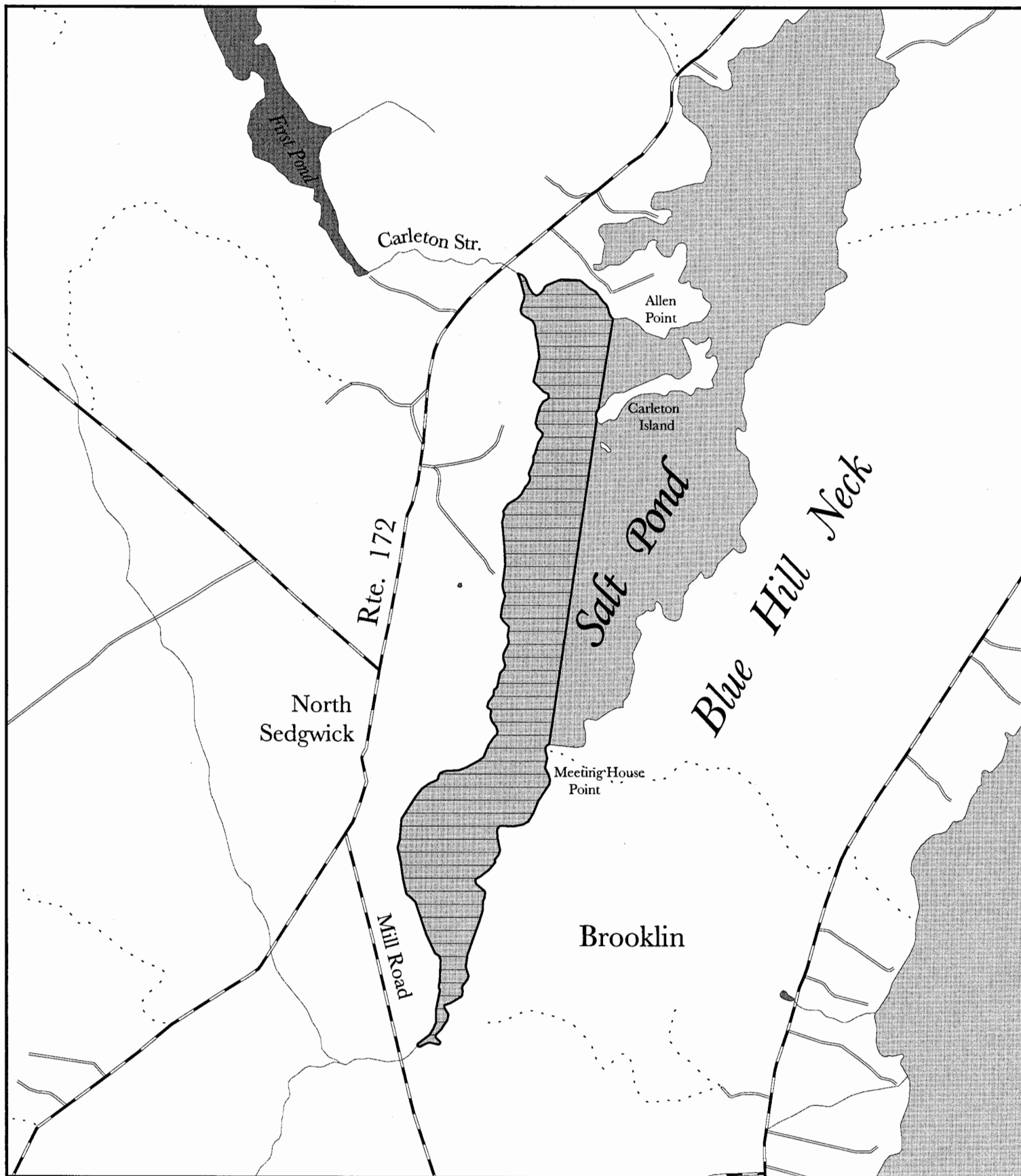
Maine Department of Marine Resources

Legal Notice of Shellfish Closure Area

For: Sedgwick, Brooklin, and Blue Hill

C39E - Salt Pond

01/08/04



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